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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

THE PEOPLE,

Plaintiff and Respondent,

v.

MAUTIEF RILEY HAMLET,

Defendant and Appellant.

E074172

(Super.Ct.No. FVA1400519)

OPINION

APPEAL from the Superior Court of San Bernardino County. Michael A. Knish,  
Judge. Affirmed.

Randall Conner, under appointment by the Court of Appeal, for Defendant and  
Appellant.

No appearance for Plaintiff and Respondent.

Pursuant to a plea agreement, defendant and appellant Mautief Riley Hamlet pled guilty to receiving a stolen vehicle. (Pen. Code,<sup>1</sup> § 496d, subd. (a).) A trial court sentenced him, as agreed upon, to the low term of 16 months in state prison. He subsequently filed a motion to vacate the judgment, which the court denied.

Defendant filed a handwritten notice of appeal, in propria persona. We affirm.

### PROCEDURAL BACKGROUND

Defendant was originally charged by felony complaint with being a felon carrying a loaded firearm (§ 25850, subds. (a) & (c)(1), count 1), unlawful possession of ammunition (§ 30305, subd. (a)(1), count 2), and receiving stolen property (a vehicle) (§ 496d, subd. (a), count 3). The complaint also alleged that he had one prior strike conviction (§§ 667, subds. (b)-(i) & 1170.12, subds. (a)-(d)) and one prior prison conviction (§ 667.5, subd. (b)).

Pursuant to a plea agreement, defendant pled guilty to count 3, in exchange for a sentence of 16 months in state prison. The plea agreement stated that any state prison commitment would be followed by a period of parole of three to four years. On April 30, 2014, the court sentenced defendant in accordance with the agreement and dismissed the remaining counts and allegations.

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<sup>1</sup> All further statutory references will be to the Penal Code, unless otherwise noted.

On or about March 23, 2015, defendant filed a petition for resentencing under section 1170.18 to reduce his conviction to a misdemeanor. The court held a hearing, concluded that he was not eligible for Proposition 47 relief, and denied the petition.

On September 29, 2019, defendant filed an in propria persona motion to vacate his judgment, on the ground that authorities released him from custody to postrelease community supervision instead of parole, as specified in the plea agreement. He claimed he did not get what he bargained for; thus, his guilty plea was nullified. The court denied the motion.

### DISCUSSION

Defendant appealed and, upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738, setting forth a statement of the case and one potential arguable issue: whether the plea agreement was null and void because release on parole was a material term of the agreement, and defendant was instead released on postrelease community supervision. Counsel has also requested this court to undertake a review of the entire record.

We offered defendant an opportunity to file a personal supplemental brief, which he has not done.

Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have conducted an independent review of the record and find no arguable issues.

DISPOSITION

The judgment is affirmed.

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FIELDS  
J.

We concur:

MILLER  
Acting P. J.

CODRINGTON  
J.